

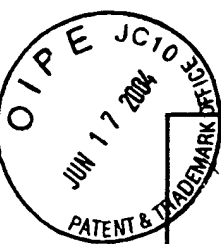
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PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/783,672	
	Filing Date	February 20, 2004	
	First Named Inventor	Beverly M. EMERSON	
	Art Unit	Not Yet Assigned	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	10	Attorney Docket Number	532792000300

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement, 3 pages <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form 1449, 3 pages in duplicate 45 References Return Postcard
<div>Remarks</div> <p>CUSTOMER NO. 25225</p>		

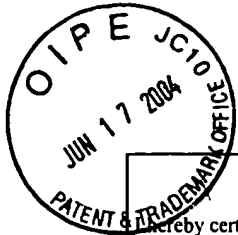
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER LLP Bruce D. Grant - 47,608
Signature	
Date	June 15, 2004

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Dated: June 15, 2004

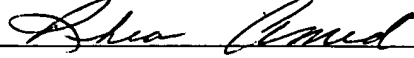
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PATENT
Docket No. 532792000300

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Rhea Amid

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Beverly M. EMERSON et al.

Serial No.: 10/783,672

Filing Date: February 20, 2004

For: METHODS OF MODULATING GENE
EXPRESSION

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Pursuant to the USPTO notice dated July 11, 2003, waiving the requirement under 37 C.F.R. § 1.98 (a)(2)(i) to provide copies of U.S. Patents and U.S. Published Applications, copies of those references are not submitted. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of ___ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of ___ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

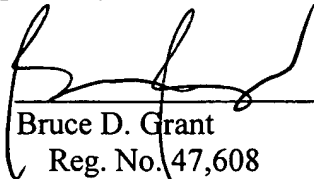
Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **532792000300**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: June 15, 2004

Respectfully submitted,

By: 
Bruce D. Grant
Reg. No. 47,608
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San Diego, California 92130-2332
Telephone: (858) 720-7962
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Form PTO-1449

Docket Number: 532792000300

Application Number: 10/783,672

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

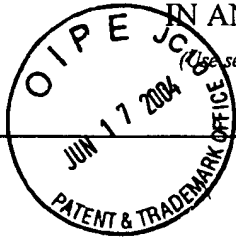
Applicant:

Beverly M. EMERSON et al.

Filing Date: February 20, 2004

Group Art Unit: Not Yet Assigned

Mailing Date June 15, 2004



U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	12/1985	4,559,157	Smith et al.	252	90	
	2.	08/1986	4,608,392	Jacquet et al.	514	844	
	3.	04/1989	4,820,508	Wortzman	424	59	
	4.	07/1990	4,938,949	Borch et al.	424	10	
	5.	02/1991	4,992,478	Geria	514	782	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	6.	Anderson, A.C., et al., Curr. Opin. Genet. Dev. 11:554-560 (2001)
	7.	Armstrong, et al., Cell 95:93-104 (1998)
	8.	Artavanis-Tsakonas, S., et al., Science 284:770-776 (1999)
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	10.	Bieker JJ, et al., Ann N Y Acad Sci. 850: 64-9 (1998)
	11.	Bulger, M., et al., Methods Mol. Genet. 5:241-262 (1994)
	12.	Burns, L. G. et al., Mol. Cell. Biol., 17, 4811 (1997)
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	14.	Cantor, A. B., et al., Oncogene 21:3368-3376 (2002)
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	16.	Chi, T. H., et al., Nature 418:195-199 (2002)
	17.	Cosma, M. P., Mol. Cell 10:227-236 (2002)

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>		Docket Number: 532792000300	Application Number: 10/783,672	
		Applicant: <div style="text-align: center;">Beverly M. EMERSON et al.</div>		
		Filing Date: February 20, 2004	Group Art Unit: Not Yet Assigned	
		Mailing Date June <u>5</u> , 2004		
	18.	Dahiya, A., et al., Mol. Cell 8:557-568 (2001)		
	19.	Davie, J. R., Curr. Opin. Nucleic Genet. Dev., 8, 173 (1998)		
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EXAMINER:		DATE CONSIDERED:		
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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number: 532792000300	Application Number: 10/783,672
	Applicant: Beverly M. EMERSON et al.	
	Filing Date: February 20, 2004	Group Art Unit: Not Yet Assigned
	Mailing Date June <u>15</u> , 2004	

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